

PATENT
EMC-99-027DIV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Preston F. Crow et al	GROUP ART UNIT:	2162
U.S.S.N.:	10/720,629	CONFIRMATION NO.:	4258
FILING DATE:	November 24, 2003	EXAMINER:	Ly, Anh
		CUSTOMER NO.	24227
TITLE:	MULTI-VOLUME EXTENT BASED FILE SYSTEM		

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 6, 2005.

Linda Valanzola

Linda Valanzola

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

The owner, EMC Corporation, of one hundred (100) percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,654,772. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and

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Applicant: Preston F. Crow *et al.*
U.S.S.N.: 10/720,629
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EMC Docket No.: EMC-99-027DIV1

the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

1. ☒ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

Respectfully submitted,
EMC Corporation

Date: 5/5/05


Signature

Scott A. Ouellette
Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

Effective 12/08/2004.

Complete if Known

01 FEE TRANSMITTAL
For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00

Application Number	10/720,629
Filing Date	November 24, 2003
First Named Inventor	Preston F. Crow
Examiner Name	Ly, Anh
Art Unit	2162
Attorney Docket No.	EMC-99-027DIV1

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: **05-0889** Deposit Account Name: **EMC Corporation**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)


☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or any underpayment of fee(s) ☒ Credit any overpayments

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FEE CALCULATION**Additional Fees for Large Entity**

Fee Code	37 CFR	Fee(s)	Fee Description	Fee Paid
1051	116(e)	130	Surcharge – late filing fee or oath	
1052	1.06(i)	50	Surcharge – late provisional filing fee or cover sheet	
1812	1.20(c)(1)	2520	Request for <i>ex parte</i> reexamination	
1804	1.17(n)	920	Requesting publication of SIR prior to Examiner action	
1805	1.17(o)	1840	Requesting publication of SIR after Examiner action	
1251	1.17(a)(1)	120	Extension for reply within first month	
1252	1.17(a)(2)	450	Extension for reply within second month	
1253	1.17(a)(3)	1020	Extension for reply within third month	
1254	1.17(a)(4)	1590	Extension for reply within fourth month	
1255	1.17(a)(5)	2160	Extension for reply within fifth month	
1401	41.20(b)(1)	500	Notice of Appeal	
1402	41.20(n)(2)	500	Filing a brief in support of an appeal	
1403	41.20(b)(3)	1000	Request for oral hearing	
1451	1.17(j)	1510	Petition to institute a public use proceeding	
1452	1.17(l)	500	Petition to revive – unavoidable	
1453	1.17(m)	1500	Petition to revive – unintentional	
1501	1.18(a)	1400	Utility issue fee	
1502	1.18(b)	800	Design issue fee	
1503	1.18(c)	1100	Plant issue fee	
1807	1.17(q)	50	Processing fee for provisional applications	
1806	1.17(p)	180	Submission of Information Disclosure Statement	
8021	1.21(h)	40	Recording each patent assignment per property (times number of properties)	
1809	1.17(r)	790	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	1.17(s)	790	For each additional invention to be examined (37 CFR 1.129(b))	
1801	1.17(e)	790	Request for Continued Examination (RCE)	
1802	1.17(k)	900	Request for expedited examination of a design application	
Other fee (specify) 1814/2814 1.20(d) Terminal Disclaimer				130.00
			TOTAL	(\$130.00)

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	38,573	Telephone	508-293-7835
Name (Print/Type)	Scott A. Ouellette	Date	5/6/05		

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.